

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

WILLIAM W. SPARKS,

Plaintiff,

v.

KILOLO KIJAKAZI,¹

Acting Commissioner of Social Security,

Defendant.

No. 2:21-CV-102-DCP

ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636(c), the Rules of this Court, and the consent of the parties [Doc. 9]. The Court is in receipt of Plaintiff's Motion for Attorney's Fees Pursuant to the Equal Access to Justice Act 28 U.S.C. § 2412 [Doc. 23], and Defendant's Response to Plaintiff's Application for Attorney Fees Pursuant to the Equal Access to Justice Act [Doc. 25]. Plaintiff has requested an award of fees under the Equal Access to Justice Act in the amount of \$3,480.00 and costs of \$20.70 [Doc. 23-1 p. 3].² In response, Defendant states that, "[a]fter discussions with Plaintiff's counsel, Plaintiff and Defendant have agreed to an award of \$3,440.30" [Doc. 25].

In light of the representations made by Defendant in its response, the Court **ORDERS** the parties to confer and, if they agree to the reduced amount of \$3,440.30, to file a joint stipulation signed by both parties on or before **January 25, 2023**. In the event Plaintiff does not agree to the

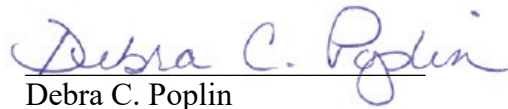
¹ Kilolo Kijakazi became the Acting Commissioner of the Social Security Administration ("the SSA") on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi is substituted for Andrew Saul as the defendant in this suit. *See* 42 U.S.C. § 405(g).

² In his motion, Plaintiff requests \$3,480.00 in attorney's fees [Doc. 23]. The accompanying Attorney Affidavit, however, requests \$3,480.00 in attorney's fees and \$20.70 in costs [Doc. 23-1 p. 3].

reduced amount of \$3,440.30, the Court **ORDERS** Plaintiff to file a reply to Defendant's response [Doc. 25] on or before **January 25, 2023**.

IT IS SO ORDERED.

ENTER:



Debra C. Poplin
United States Magistrate Judge